

SECOND REGULAR SESSION

# SENATE BILL NO. 800

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRAY.

Read 1st time January 20, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4597S.011

## AN ACT

To repeal sections 105.452, 105.456, 130.021, and 130.031, RSMo, and to enact in lieu thereof seven new sections relating to ethics, with penalty provisions for certain sections.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 105.452, 105.456, 130.021, and 130.031, RSMo, are  
2 repealed and seven new sections enacted in lieu thereof, to be known as sections  
3 21.033, 105.452, 105.456, 105.474, 130.021, 130.031, and 130.032, to read as  
4 follows:

**21.033. Any individual currently holding office as a state  
2 representative or state senator shall not contract with or solicit any  
3 other current senator or representative for the purposes of securing  
4 services for political fund raising, campaigning, or consulting that in  
5 any way relates to the election of any state or federal office. Any  
6 individual found in violation of this section shall be guilty of a class D  
7 misdemeanor.**

105.452. 1. No elected or appointed official or employee of the state or  
2 any political subdivision thereof shall:

(1) Act or refrain from acting in any capacity in which he is lawfully  
4 empowered to act as such an official or employee by reason of any payment, offer  
5 to pay, promise to pay, or receipt of anything of actual pecuniary value paid or  
6 payable, or received or receivable, to himself or any third person, including any  
7 gift or campaign contribution, made or received in relationship to or as a  
8 condition of the performance of an official act, other than compensation to be paid  
9 by the state or political subdivision; or

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

10           (2) Use confidential information obtained in the course of or by reason of  
11 his employment or official capacity in any manner with intent to result in  
12 financial gain for himself, his spouse, his dependent child in his custody, or any  
13 business with which he is associated;

14           (3) Disclose confidential information obtained in the course of or by reason  
15 of his employment or official capacity in any manner with intent to result in  
16 financial gain for himself or any other person;

17           (4) Favorably act on any matter that is so specifically designed so as to  
18 provide a special monetary benefit to such official or his spouse or dependent  
19 children, including but not limited to increases in retirement benefits, whether  
20 received from the state of Missouri or any third party by reason of such act. For  
21 the purposes of this subdivision, "special monetary benefit" means being  
22 materially affected in a substantially different manner or degree than the manner  
23 or degree in which the public in general will be affected or, if the matter affects  
24 only a special class of persons, then affected in a substantially different manner  
25 or degree than the manner or degree in which such class will be affected. In all  
26 such matters such officials [must] **shall** recuse themselves from acting, except  
27 that such official may act on increases in compensation subject to the restrictions  
28 of section 13 of article VII of the Missouri Constitution; [or]

29           (5) Use his decision-making authority for the purpose of obtaining a  
30 financial gain which materially enriches himself, his spouse or dependent  
31 children by acting or refraining from acting for the purpose of coercing or  
32 extorting from another anything of actual pecuniary value;

33           **(6) Register or act as a lobbyist, other than as a lobbyist solely**  
34 **for a governmental entity within this state, within the two-year period**  
35 **after leaving office or leaving employment of the state or political**  
36 **subdivision. This subdivision shall apply only to an elected official or**  
37 **such official's staff.**

38           2. No elected or appointed official or employee of any political subdivision  
39 shall offer, promote, or advocate for a political appointment in exchange for  
40 anything of value to any political subdivision.

105.456. 1. No member of the general assembly or the governor,  
2 lieutenant governor, attorney general, secretary of state, state treasurer or state  
3 auditor shall:

4           (1) Perform any service for the state or any political subdivision of the  
5 state or any agency of the state or any political subdivision thereof or act in his

6 or her official capacity or perform duties associated with his or her position for  
7 any person for any consideration other than the compensation provided for the  
8 performance of his or her official duties; or

9 (2) Sell, rent or lease any property to the state or political subdivision  
10 thereof or any agency of the state or any political subdivision thereof for  
11 consideration in excess of five hundred dollars per transaction or one thousand  
12 five hundred dollars per annum unless the transaction is made pursuant to an  
13 award on a contract let or sale made after public notice and in the case of  
14 property other than real property, competitive bidding, provided that the bid or  
15 offer accepted is the lowest received; or

16 (3) Attempt, for compensation other than the compensation provided for  
17 the performance of his or her official duties, to influence the decision of any  
18 agency of the state on any matter, except that this provision shall not be  
19 construed to prohibit such person from participating for compensation in any  
20 adversary proceeding or in the preparation or filing of any public document or  
21 conference thereon. The exception for a conference upon a public document shall  
22 not permit any member of the general assembly or the governor, lieutenant  
23 governor, attorney general, secretary of state, state treasurer or state auditor to  
24 receive any consideration for the purpose of attempting to influence the decision  
25 of any agency of the state on behalf of any person with regard to any application,  
26 bid or request for a state grant, loan, appropriation, contract, award, permit other  
27 than matters involving a driver's license, or job before any state agency,  
28 commission, or elected official. Notwithstanding Missouri supreme court rule  
29 1.10 of rule 4 or any other court rule or law to the contrary, other members of a  
30 firm, professional corporation or partnership shall not be prohibited pursuant to  
31 this subdivision from representing a person or other entity solely because a  
32 member of the firm, professional corporation or partnership serves in the general  
33 assembly, provided that such official does not share directly in the compensation  
34 earned, so far as the same may reasonably be accounted, for such activity by the  
35 firm or by any other member of the firm. This subdivision shall not be construed  
36 to prohibit any inquiry for information or the representation of a person without  
37 consideration before a state agency or in a matter involving the state if no  
38 consideration is given, charged or promised in consequence thereof.

39 2. No sole proprietorship, partnership, joint venture, or corporation in  
40 which a member of the general assembly, governor, lieutenant governor, attorney  
41 general, secretary of state, state treasurer, state auditor or spouse of such official,

42 is the sole proprietor, a partner having more than a ten percent partnership  
43 interest, or a coparticipant or owner of in excess of ten percent of the outstanding  
44 shares of any class of stock, shall:

45 (1) Perform any service for the state or any political subdivision thereof  
46 or any agency of the state or political subdivision for any consideration in excess  
47 of five hundred dollars per transaction or one thousand five hundred dollars per  
48 annum unless the transaction is made pursuant to an award on a contract let or  
49 sale made after public notice and competitive bidding, provided that the bid or  
50 offer accepted is the lowest received; or

51 (2) Sell, rent, or lease any property to the state or any political  
52 subdivision thereof or any agency of the state or political subdivision thereof for  
53 consideration in excess of five hundred dollars per transaction or one thousand  
54 five hundred dollars per annum unless the transaction is made pursuant to an  
55 award on a contract let or a sale made after public notice and in the case of  
56 property other than real property, competitive bidding, provided that the bid or  
57 offer accepted is the lowest and best received.

58 **3. A member of the general assembly shall not accept meals, food,**  
59 **beverages, or other gifts from a lobbyist or the lobbyist's principal. A**  
60 **violation of this section may be cured by reimbursing said lobbyist or**  
61 **lobbyist principal within thirty days of obtaining actual knowledge that**  
62 **reimbursement is necessary to meet the requirements of this section.**

105.474. 1. All lobbyists, as defined in section 105.470, shall file  
2 a supplemental report documenting the lobbyist's activities during each  
3 reporting period, as required by section 105.473, with the commission.

4 2. The report shall include the name and address of each client  
5 whom the lobbyist has represented by employment or under contract  
6 at any time within the duration of the previous reporting period, and  
7 the monetary value of all payments, including but not limited to salary,  
8 fees, and reimbursement of expenses, received in consideration for or  
9 directly or indirectly in support of or in connection with influencing  
10 legislative or administrative action on behalf of that client.

11 3. All lobbyists shall supply a copy of the most recent report  
12 required under this section and section 105.473 to all clients upon  
13 entering into any contract to represent such client. If a lobbyist  
14 contracts to represent a client and the subsequent client's interests are  
15 materially adverse to the interests of a current client, the lobbyist shall

16 **notify the current client within forty-eight hours of entering the**  
17 **contract.**

130.021. 1. Every committee shall have a treasurer who, except as  
2 provided in subsection 10 of this section, shall be a resident of this state and  
3 reside in the district or county in which the committee sits. A committee may  
4 also have a deputy treasurer who, except as provided in subsection 10 of this  
5 section, shall be a resident of this state and reside in the district or county in  
6 which the committee sits, to serve in the capacity of committee treasurer in the  
7 event the committee treasurer is unable for any reason to perform the treasurer's  
8 duties. **No person shall hold the designation of, serve as, control the**  
9 **activities of, or carry out the duties of treasurer or deputy treasurer**  
10 **for more than one committee concurrently. Any person who violates**  
11 **this provision shall, upon a determination by the Missouri ethics**  
12 **commission that the person is holding the designation of, serving as,**  
13 **controlling the activities of, or carrying out the duties of treasurer or**  
14 **deputy treasurer for more than one committee concurrently, the person**  
15 **shall vacate the position of treasurer or deputy treasurer of all**  
16 **committees. The Missouri ethics commission shall be empowered to**  
17 **obtain injunctive relief in the circuit court of Cole County to enforce**  
18 **an order of vacation, or to prohibit persons not holding the designation**  
19 **of treasurer but having actual control of the activities of more than one**  
20 **committee from exercising such control. Any person who fails to vacate**  
21 **the position shall be guilty of a class A misdemeanor.**

22 2. Every candidate for offices listed in subsection 1 of section 130.016 who  
23 has not filed a statement of exemption pursuant to that subsection and every  
24 candidate for offices listed in subsection 6 of section 130.016 who is not excluded  
25 from filing a statement of organization and disclosure reports pursuant to  
26 subsection 6 of section 130.016 shall form a candidate committee and appoint a  
27 treasurer. Thereafter, all contributions on hand and all further contributions  
28 received by such candidate and any of the candidate's own funds to be used in  
29 support of the person's candidacy shall be deposited in a candidate committee  
30 depository account established pursuant to the provisions of subsection 4 of this  
31 section, and all expenditures shall be made through the candidate, treasurer or  
32 deputy treasurer of the person's candidate committee. Nothing in this chapter  
33 shall prevent a candidate from appointing himself or herself as a committee of  
34 one and serving as the person's own treasurer, maintaining the candidate's own

35 records and filing all the reports and statements required to be filed by the  
36 treasurer of a candidate committee.

37         3. A candidate who has more than one candidate committee supporting  
38 the person's candidacy shall designate one of those candidate committees as the  
39 committee responsible for consolidating the aggregate contributions to all such  
40 committees under the candidate's control and direction as required by section  
41 130.041.

42         4. (1) Every committee shall have a single official fund depository within  
43 this state which shall be a federally or state-chartered bank, a federally or  
44 state-chartered savings and loan association, or a federally or state-chartered  
45 credit union in which the committee shall open and thereafter maintain at least  
46 one official depository account in its own name. An "official depository account"  
47 shall be a checking account or some type of negotiable draft or negotiable order  
48 of withdrawal account, and the official fund depository shall, regarding an official  
49 depository account, be a type of financial institution which provides a record of  
50 deposits, canceled checks or other canceled instruments of withdrawal evidencing  
51 each transaction by maintaining copies within this state of such instruments and  
52 other transactions. All contributions which the committee receives in money,  
53 checks and other negotiable instruments shall be deposited in a committee's  
54 official depository account. Contributions shall not be accepted and expenditures  
55 shall not be made by a committee except by or through an official depository  
56 account and the committee treasurer, deputy treasurer or  
57 candidate. Contributions received by a committee shall not be commingled with  
58 any funds of an agent of the committee, a candidate or any other person, except  
59 that contributions from a candidate of the candidate's own funds to the person's  
60 candidate committee shall be deposited to an official depository account of the  
61 person's candidate committee. No expenditure shall be made by a committee  
62 when the office of committee treasurer is vacant except that when the office of a  
63 candidate committee treasurer is vacant, the candidate shall be the treasurer  
64 until the candidate appoints a new treasurer.

65         (2) A committee treasurer, deputy treasurer or candidate may withdraw  
66 funds from a committee's official depository account and deposit such funds in one  
67 or more savings accounts in the committee's name in any bank, savings and loan  
68 association or credit union within this state, and may also withdraw funds from  
69 an official depository account for investment in the committee's name in any  
70 certificate of deposit, bond or security. Proceeds from interest or dividends from

71 a savings account or other investment or proceeds from withdrawals from a  
72 savings account or from the sale of an investment shall not be expended or  
73 reinvested, except in the case of renewals of certificates of deposit, without first  
74 redepositing such proceeds in an official depository account. Investments, other  
75 than savings accounts, held outside the committee's official depository account at  
76 any time during a reporting period shall be disclosed by description, amount, any  
77 identifying numbers and the name and address of any institution or person in  
78 which or through which it is held in an attachment to disclosure reports the  
79 committee is required to file. Proceeds from an investment such as interest or  
80 dividends or proceeds from its sale, shall be reported by date and amount. In the  
81 case of the sale of an investment, the names and addresses of the persons  
82 involved in the transaction shall also be stated. Funds held in savings accounts  
83 and investments, including interest earned, shall be included in the report of  
84 money on hand as required by section 130.041.

85         5. The treasurer or deputy treasurer acting on behalf of any person or  
86 organization or group of persons which is a committee by virtue of the definitions  
87 of committee in section 130.011 and any candidate who is not excluded from  
88 forming a committee in accordance with the provisions of section 130.016 shall  
89 file a statement of organization with the appropriate officer within twenty days  
90 after the person or organization becomes a committee but no later than the date  
91 for filing the first report required pursuant to the provisions of section  
92 130.046. The statement of organization shall contain the following information:

93             (1) The name, mailing address and telephone number, if any, of the  
94 committee filing the statement of organization. If the committee is deemed to be  
95 affiliated with a connected organization as provided in subdivision (11) of section  
96 130.011, the name of the connected organization, or a legally registered fictitious  
97 name which reasonably identifies the connected organization, shall appear in the  
98 name of the committee. If the committee is a candidate committee, the name of  
99 the candidate shall be a part of the committee's name;

100            (2) The name, mailing address and telephone number of the candidate;

101            (3) The name, mailing address and telephone number of the committee  
102 treasurer, and the name, mailing address and telephone number of its deputy  
103 treasurer if the committee has named a deputy treasurer;

104            (4) The names, mailing addresses and titles of its officers, if any;

105            (5) The name and mailing address of any connected organizations with  
106 which the committee is affiliated;

107 (6) The name and mailing address of its depository, and the name and  
108 account number of each account the committee has in the depository. The  
109 account number of each account shall be redacted prior to disclosing the  
110 statement to the public;

111 (7) Identification of the major nature of the committee such as a candidate  
112 committee, campaign committee, continuing committee, political party committee,  
113 incumbent committee, or any other committee according to the definition of  
114 committee in section 130.011;

115 (8) In the case of the candidate committee designated in subsection 3 of  
116 this section, the full name and address of each other candidate committee which  
117 is under the control and direction of the same candidate, together with the name,  
118 address and telephone number of the treasurer of each such other committee;

119 (9) The name and office sought of each candidate supported or opposed by  
120 the committee;

121 (10) The ballot measure concerned, if any, and whether the committee is  
122 in favor of or opposed to such measure.

123 6. A committee may omit the information required in subdivisions (9) and  
124 (10) of subsection 5 of this section if, on the date on which it is required to file a  
125 statement of organization, the committee has not yet determined the particular  
126 candidates or particular ballot measures it will support or oppose. **Any**  
127 **contribution received over the allowable contribution limits described**  
128 **in section 130.032 shall be returned to the contributor by the committee**  
129 **within five business days of the declaration of candidacy or position on**  
130 **a candidate or a particular ballot measure of the committee.**

131 7. A committee which has filed a statement of organization and has not  
132 terminated shall not be required to file another statement of organization, except  
133 that when there is a change in any of the information previously reported as  
134 required by subdivisions (1) to (8) of subsection 5 of this section an amended  
135 statement of organization shall be filed within twenty days after the change  
136 occurs, but no later than the date of the filing of the next report required to be  
137 filed by that committee by section 130.046.

138 8. Upon termination of a committee, a termination statement indicating  
139 dissolution shall be filed not later than ten days after the date of dissolution with  
140 the appropriate officer or officers with whom the committee's statement of  
141 organization was filed. The termination statement shall include: the distribution  
142 made of any remaining surplus funds and the disposition of any deficits; and the

143 name, mailing address and telephone number of the individual responsible for  
144 preserving the committee's records and accounts as required in section 130.036.

145 9. Any statement required by this section shall be signed and attested by  
146 the committee treasurer or deputy treasurer, and by the candidate in the case of  
147 a candidate committee.

148 10. A committee domiciled outside this state shall be required to file a  
149 statement of organization and appoint a treasurer residing in this state and open  
150 an account in a depository within this state; provided that either of the following  
151 conditions prevails:

152 (1) The aggregate of all contributions received from persons domiciled in  
153 this state exceeds twenty percent in total dollar amount of all funds received by  
154 the committee in the preceding twelve months; or

155 (2) The aggregate of all contributions and expenditures made to support  
156 or oppose candidates and ballot measures in this state exceeds one thousand five  
157 hundred dollars in the current calendar year.

158 11. If a committee domiciled in this state receives a contribution of one  
159 thousand five hundred dollars or more from any committee domiciled outside of  
160 this state, the committee domiciled in this state shall file a disclosure report with  
161 the commission. The report shall disclose the full name, mailing address,  
162 telephone numbers and domicile of the contributing committee and the date and  
163 amount of the contribution. The report shall be filed within forty-eight hours of  
164 the receipt of such contribution if the contribution is received after the last  
165 reporting date before the election.

166 12. Each legislative and senatorial district committee shall retain only one  
167 address in the district it sits for the purpose of receiving contributions.

130.031. 1. No contribution of cash in an amount of more than one  
2 hundred dollars shall be made by or accepted from any single contributor for any  
3 election by a continuing committee, a campaign committee, a political party  
4 committee, an exploratory committee or a candidate committee.

5 2. Except for expenditures from a petty cash fund which is established  
6 and maintained by withdrawals of funds from the committee's depository account  
7 and with records maintained pursuant to the record-keeping requirements of  
8 section 130.036 to account for expenditures made from petty cash, each  
9 expenditure of more than fifty dollars, except an in-kind expenditure, shall be  
10 made by check drawn on the committee's depository and signed by the committee  
11 treasurer, deputy treasurer or candidate. A single expenditure from a petty cash

12 fund shall not exceed fifty dollars, and the aggregate of all expenditures from a  
13 petty cash fund during a calendar year shall not exceed the lesser of five  
14 thousand dollars or ten percent of all expenditures made by the committee during  
15 that calendar year. A check made payable to "cash" shall not be made except to  
16 replenish a petty cash fund.

17           3. No contribution shall be made or accepted and no expenditure shall be  
18 made or incurred, directly or indirectly, in a fictitious name, in the name of  
19 another person, or by or through another person in such a manner as to conceal  
20 the identity of the actual source of the contribution or the actual recipient and  
21 purpose of the expenditure. Any person who receives contributions for a  
22 committee shall disclose to that committee's treasurer, deputy treasurer or  
23 candidate the recipient's own name and address and the name and address of the  
24 actual source of each contribution such person has received for that  
25 committee. Any person who makes expenditures for a committee shall disclose  
26 to that committee's treasurer, deputy treasurer or candidate such person's own  
27 name and address, the name and address of each person to whom an expenditure  
28 has been made and the amount and purpose of the expenditures the person has  
29 made for that committee.

30           4. No anonymous contribution of more than twenty-five dollars shall be  
31 made by any person, and no anonymous contribution of more than twenty-five  
32 dollars shall be accepted by any candidate or committee. If any anonymous  
33 contribution of more than twenty-five dollars is received, it shall be returned  
34 immediately to the contributor, if the contributor's identity can be ascertained,  
35 and if the contributor's identity cannot be ascertained, the candidate, committee  
36 treasurer or deputy treasurer shall immediately transmit that portion of the  
37 contribution which exceeds twenty-five dollars to the state treasurer and it shall  
38 escheat to the state.

39           5. The maximum aggregate amount of anonymous contributions which  
40 shall be accepted in any calendar year by any committee shall be the greater of  
41 five hundred dollars or one percent of the aggregate amount of all contributions  
42 received by that committee in the same calendar year. If any anonymous  
43 contribution is received which causes the aggregate total of anonymous  
44 contributions to exceed the foregoing limitation, it shall be returned immediately  
45 to the contributor, if the contributor's identity can be ascertained, and, if the  
46 contributor's identity cannot be ascertained, the committee treasurer, deputy  
47 treasurer or candidate shall immediately transmit the anonymous contribution

48 to the state treasurer to escheat to the state.

49           6. Notwithstanding the provisions of subsection 5 of this section,  
50 contributions from individuals whose names and addresses cannot be ascertained  
51 which are received from a fund-raising activity or event, such as defined in  
52 section 130.011, shall not be deemed anonymous contributions, provided the  
53 following conditions are met:

54           (1) There are twenty-five or more contributing participants in the activity  
55 or event;

56           (2) The candidate, committee treasurer, deputy treasurer or the person  
57 responsible for conducting the activity or event makes an announcement that it  
58 is illegal for anyone to make or receive a contribution in excess of one hundred  
59 dollars unless the contribution is accompanied by the name and address of the  
60 contributor;

61           (3) The person responsible for conducting the activity or event does not  
62 knowingly accept payment from any single person of more than one hundred  
63 dollars unless the name and address of the person making such payment is  
64 obtained and recorded pursuant to the record-keeping requirements of section  
65 130.036;

66           (4) A statement describing the event shall be prepared by the candidate  
67 or the treasurer of the committee for whom the funds were raised or by the  
68 person responsible for conducting the activity or event and attached to the  
69 disclosure report of contributions and expenditures required by section  
70 130.041. The following information to be listed in the statement is in addition to,  
71 not in lieu of, the requirements elsewhere in this chapter relating to the recording  
72 and reporting of contributions and expenditures:

73           (a) The name and mailing address of the person or persons responsible for  
74 conducting the event or activity and the name and address of the candidate or  
75 committee for whom the funds were raised;

76           (b) The date on which the event occurred;

77           (c) The name and address of the location where the event occurred and the  
78 approximate number of participants in the event;

79           (d) A brief description of the type of event and the fund-raising methods  
80 used;

81           (e) The gross receipts from the event and a listing of the expenditures  
82 incident to the event;

83           (f) The total dollar amount of contributions received from the event from

84 participants whose names and addresses were not obtained with such  
85 contributions and an explanation of why it was not possible to obtain the names  
86 and addresses of such participants;

87 (g) The total dollar amount of contributions received from contributing  
88 participants in the event who are identified by name and address in the records  
89 required to be maintained pursuant to section 130.036.

90 7. No candidate or committee in this state shall accept contributions from  
91 any out-of-state committee unless the out-of-state committee from whom the  
92 contributions are received has filed a statement of organization pursuant to  
93 section 130.021 or has filed the reports required by sections 130.049 and 130.050,  
94 whichever is applicable to that committee.

95 8. Any person publishing, circulating, or distributing any printed matter  
96 relative to any candidate for public office or any ballot measure shall on the face  
97 of the printed matter identify in a clear and conspicuous manner the person who  
98 paid for the printed matter with the words "Paid for by" followed by the proper  
99 identification of the sponsor pursuant to this section. For the purposes of this  
100 section, "printed matter" shall be defined to include any pamphlet, circular,  
101 handbill, sample ballot, advertisement, including advertisements in any  
102 newspaper or other periodical, sign, including signs for display on motor vehicles,  
103 or other imprinted or lettered material; but "printed matter" is defined to exclude  
104 materials printed and purchased prior to May 20, 1982, if the candidate or  
105 committee can document that delivery took place prior to May 20, 1982; any sign  
106 personally printed and constructed by an individual without compensation from  
107 any other person and displayed at that individual's place of residence or on that  
108 individual's personal motor vehicle; any items of personal use given away or sold,  
109 such as campaign buttons, pins, pens, pencils, book matches, campaign jewelry,  
110 or clothing, which is paid for by a candidate or committee which supports a  
111 candidate or supports or opposes a ballot measure and which is obvious in its  
112 identification with a specific candidate or committee and is reported as required  
113 by this chapter; and any news story, commentary, or editorial printed by a  
114 regularly published newspaper or other periodical without charge to a candidate,  
115 committee or any other person.

116 (1) In regard to any printed matter paid for by a candidate from the  
117 candidate's personal funds, it shall be sufficient identification to print the first  
118 and last name by which the candidate is known.

119 (2) In regard to any printed matter paid for by a committee, it shall be

120 sufficient identification to print the name of the committee as required to be  
121 registered by subsection 5 of section 130.021 and the name and title of the  
122 committee treasurer who was serving when the printed matter was paid for.

123 (3) In regard to any printed matter paid for by a corporation or other  
124 business entity, labor organization, or any other organization not defined to be  
125 a committee by subdivision (7) of section 130.011 and not organized especially for  
126 influencing one or more elections, it shall be sufficient identification to print the  
127 name of the entity, the name of the principal officer of the entity, by whatever  
128 title known, and the mailing address of the entity, or if the entity has no mailing  
129 address, the mailing address of the principal officer.

130 (4) In regard to any printed matter paid for by an individual or  
131 individuals, it shall be sufficient identification to print the name of the individual  
132 or individuals and the respective mailing address or addresses, except that if  
133 more than five individuals join in paying for printed matter it shall be sufficient  
134 identification to print the words "For a list of other sponsors contact:" followed by  
135 the name and address of one such individual responsible for causing the matter  
136 to be printed, and the individual identified shall maintain a record of the names  
137 and amounts paid by other individuals and shall make such record available for  
138 review upon the request of any person. No person shall accept for publication or  
139 printing nor shall such work be completed until the printed matter is properly  
140 identified as required by this subsection.

141 9. Any broadcast station transmitting any matter relative to any  
142 candidate for public office or ballot measure as defined by this chapter shall  
143 identify the sponsor of such matter as required by federal law.

144 10. The provisions of subsection 8 or 9 of this section shall not apply to  
145 candidates for elective federal office, provided that persons causing matter to be  
146 printed or broadcast concerning such candidacies shall comply with the  
147 requirements of federal law for identification of the sponsor or sponsors.

148 11. It shall be a violation of this chapter for any person required to be  
149 identified as paying for printed matter pursuant to subsection 8 of this section or  
150 paying for broadcast matter pursuant to subsection 9 of this section to refuse to  
151 provide the information required or to purposely provide false, misleading, or  
152 incomplete information.

153 12. It shall be a violation of this chapter for any committee to offer  
154 chances to win prizes or money to persons to encourage such persons to endorse,  
155 send election material by mail, deliver election material in person or contact

156 persons at their homes; except that, the provisions of this subsection shall not be  
157 construed to prohibit hiring and paying a campaign staff.

158 **13. (1) Except as provided in subdivision (2) of this subsection,**  
159 **no committee shall transfer any funds received by the committee to any**  
160 **other committee. Any violation of this subdivision shall be punishable**  
161 **as follows:**

162 **(a) Any committee that transfers any funds received by the**  
163 **committee to any other committee shall be subject to a surcharge of one**  
164 **thousand dollars plus an amount equal to the transfer per nonallowable**  
165 **transfer. Such amount shall be paid to the ethics commission, and shall**  
166 **be transferred to the director of revenue upon notification of such**  
167 **nonallowable transfer by the ethics commission, and after the receiving**  
168 **committee has had ten business days after receipt of notice to return**  
169 **the transfer to the committee that transferred the funds. The**  
170 **committee treasurer or deputy treasurer of a committee owing a**  
171 **surcharge shall be personally liable for the payment of the surcharge**  
172 **or may pay such surcharge only from committee funds existing on the**  
173 **date of the receipt of notice. Such surcharge shall constitute a debt to**  
174 **the state enforceable under, but not limited to, the provisions of**  
175 **chapter 143;**

176 **(b) Any knowing and intentional transfer of funds in violation of**  
177 **this subsection shall be a class A misdemeanor;**

178 **(c) Any willful transfer of funds in violation of this subsection,**  
179 **transferred with the intent to conceal the actual source or nature of**  
180 **such funds, shall be a class D felony.**

181 **(2) The prohibition in this subsection shall not apply to any**  
182 **transfer of funds from a continuing committee to a candidate**  
183 **committee, unless the funds were transferred to the candidate**  
184 **committee with the intent to conceal the identity of the actual source**  
185 **of the funds. The prohibition in this section shall be construed to apply**  
186 **to transfers of funds involving legislative, senatorial, congressional,**  
187 **and judicial district committees as governed under chapter 115.**

188 **(3) Any person who transfers or attempts to transfer funds from**  
189 **a committee to any other committee with the intent to conceal the**  
190 **identity of the actual source of the funds shall be guilty of a class D**  
191 **felony.**

**130.032. 1. In addition to the limitations imposed pursuant to**

2 section 130.031, the amount of contributions made by or accepted from  
3 candidate committees, exploratory committees, campaign committees,  
4 continuing committees, political party committees, or any person other  
5 than the candidate in any one election shall not exceed the following:

6 (1) To elect an individual to the office of governor, lieutenant  
7 governor, secretary of state, state treasurer, state auditor, or attorney  
8 general, one thousand two hundred seventy-five dollars;

9 (2) To elect an individual to the office of state senator, six  
10 hundred fifty dollars;

11 (3) To elect an individual to the office of state representative,  
12 three hundred twenty-five dollars;

13 (4) To elect an individual to any other office, including judicial  
14 office, if the population of the electoral district, ward, or other unit  
15 according to the latest decennial census is under one hundred  
16 thousand, three hundred twenty-five dollars;

17 (5) To elect an individual to any other office, including judicial  
18 office, if the population of the electoral district, ward, or other unit  
19 according to the latest decennial census is at least one hundred  
20 thousand but less than two hundred fifty thousand, six hundred fifty  
21 dollars; and

22 (6) To elect an individual to any other office, including judicial  
23 office, if the population of the electoral district, ward, or other unit  
24 according to the latest decennial census is at least two hundred fifty  
25 thousand, one thousand two hundred seventy-five dollars.

26 2. For purposes of this subsection "base year amount" shall be the  
27 contribution limits prescribed in this section on January 1, 2011. Such  
28 limits shall be increased on the first day of January in each  
29 even-numbered year by multiplying the base year amount by the  
30 cumulative consumer price index, as defined in section 104.010, and  
31 rounded to the nearest twenty-five dollar amount.

32 3. Contributions from persons under fourteen years of age shall  
33 be considered made by the parents or guardians of such person and  
34 shall be attributed toward any contribution limits prescribed in this  
35 chapter. Where the contributor under fourteen years of age has two  
36 custodial parents or guardians, fifty percent of the contribution shall  
37 be attributed to each parent or guardian, and where such contributor  
38 has one custodial parent or guardian, all such contributions shall be

39 attributed to the custodial parent or guardian.

40           4. Contributions received and expenditures made prior to August  
41 28, 2010, shall be reported as a separate account and pursuant to the  
42 laws in effect at the time such contributions are received or  
43 expenditures made. Contributions received and expenditures made  
44 after August 28, 2010, shall be reported as a separate account from the  
45 aforementioned account and pursuant to the provisions of this  
46 chapter. The account reported pursuant to the prior law shall be  
47 retained as a separate account and any remaining funds in such  
48 account may be used pursuant to this chapter and section 130.034.

49           5. Any committee which accepts or gives contributions other  
50 than those allowed shall be subject to a surcharge of one thousand  
51 dollars plus an amount equal to the contribution per nonallowable  
52 contribution, to be paid to the ethics commission and which shall be  
53 transferred to the director of revenue, upon notification of such  
54 nonallowable contribution by the ethics commission, and after the  
55 candidate has had ten business days after receipt of notice to return  
56 the contribution to the contributor. The candidate and the candidate  
57 committee treasurer or deputy treasurer owing a surcharge shall be  
58 personally liable for the payment of the surcharge or may pay such  
59 surcharge only from campaign funds existing on the date of the receipt  
60 of notice. Such surcharge shall constitute a debt to the state  
61 enforceable under, but not limited to, the provisions of chapter 143.

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